

Baca to face feds in probe of jails

Was FBI informant's transfer for his safety or to neutralize him? Federal prosecutors will interview sheriff.

By ROBERT FATURECHI

They called it Operation Pandora's Box.

Los Angeles County sheriff's officials learned in the summer of 2011 that the FBI had enlisted an inmate in the Men's Central Jail to collect information on allegedly abusive and corrupt deputies.

In an unusual move, sheriff's officials responded by moving the inmate, a convicted bank robber, to a different jail under fake names, including Robin Banks.

They assigned at least 13 deputies to watch him around the clock, according to documents reviewed by The Times. And when the operation was over, the deputies received an internal email thanking them for helping "without asking to [sic] many questions and prying into the investigation at hand."

Whether Pandora's Box was intended to protect the inmate or neutralize him as an FBI informant is a key issue in a federal investigation into brutality in the jails.

Four sheriff's officials told The Times that Sheriff Lee Baca played a significant role in the operation. After learning that an inmate in his jails may have been working as an informant for the FBI, Baca called a meeting and gave his staff orders on how to handle the situation. One of the four officials said Baca continued afterward to guide the operation and get updates.

On Friday, Baca will be interviewed by federal prosecutors examining jail abuse and other problems in the Sheriff's Department. Part of the inquiry centers on whether by holding inmate Anthony Brown under aliases and moving him, sheriff's officials were obstructing an FBI investigation.

In an interview this week with the Times' Editorial Board, Baca said he's been assured he's not a target of the investigation. Federal officials have declined to discuss details of the case. Baca's spokesman has said Brown was moved not to hide him from the FBI but to protect him from deputies because he was "snitching" on them.

[See Baca, A12]

Prosecutors to interview Sheriff Baca in jails probe

[Baca, from A1]

The sheriff's officials who spoke to The Times requested anonymity because they were not authorized to speak to the media about the matter. They offered different accounts of why the department moved Brown and used aliases.

Two said the goal, at least in part, appeared to be to keep Brown and his FBI-issued cellphone from federal investigators until sheriff's officials finished their own investigation.

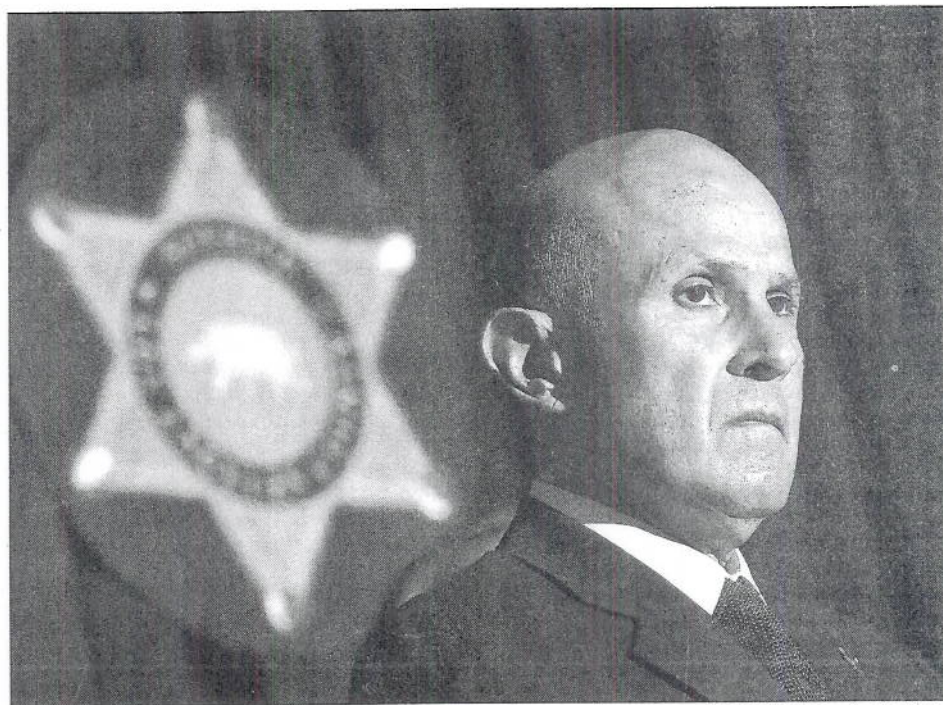
But another official said the department's only goal was protecting Brown from harm. That source said federal authorities did not return multiple calls from the Sheriff's Department, and never asked to take custody of Brown.

Baca was vague in responding to questions about his involvement. "I'm not a hands-on person," he said. He acknowledged being consulted about decisions regarding Brown's "status" after they had been made. "You have to trust what your people are doing," he said.

But he emphasized that Brown's safety was the highest priority. "He was actually afraid of everybody, including the FBI," Baca said.

Brown's cover was blown after deputies discovered a phone in his cell and tracked his calls to the FBI.

Baca at the time was furi-



IRFAN KHAN Los Angeles Times

SHERIFF LEE BACA played a significant role in deciding how to handle an inmate who was acting as an informant for the FBI, four sheriff's officials say.

ous, publicly accusing federal authorities of committing a crime by smuggling a cellphone into his jail. Sheriff's investigators were even dispatched to the home of an FBI agent involved in an attempt to interview her. Baca then reversed course and said he would cooperate fully with the inquiry.

Baca's interview with federal prosecutors Friday marks an important moment in an investigation that has spanned more than 18 months.

Federal authorities have interviewed inmates, jailers and high-ranking sheriff's managers.

Sources familiar with the investigation say that at least two federal grand juries have taken testimony. Legal experts say that allegations of abuse, if substantiated by investigators, could result in charges against the deputies involved and possibly their direct superiors, if for example, they played a role in cov-

ering it up.

But they said building a case against Baca for abuses by his deputies would face significant obstacles.

"Just being negligent is not enough to make you responsible for other people's actions," said Laurie Levenson, a Loyola Law School professor and former federal prosecutor. "He has a built-in defense: 'I didn't know.'"

Baca has repeatedly made just that argument, saying that he was unaware of problems in his jails.

A blue-ribbon panel investigating jail abuse concluded that he was an uninformed and disengaged manager.

And in the Brown case, prosecutors face a high bar if they hope to prove obstruction of justice, Levenson said.

Those cases typically involve intimidation or violence against potential witnesses.

In this incident, federal prosecutors would have to

prove the department's goal in moving Brown was to hinder the FBI's investigation of the jails.

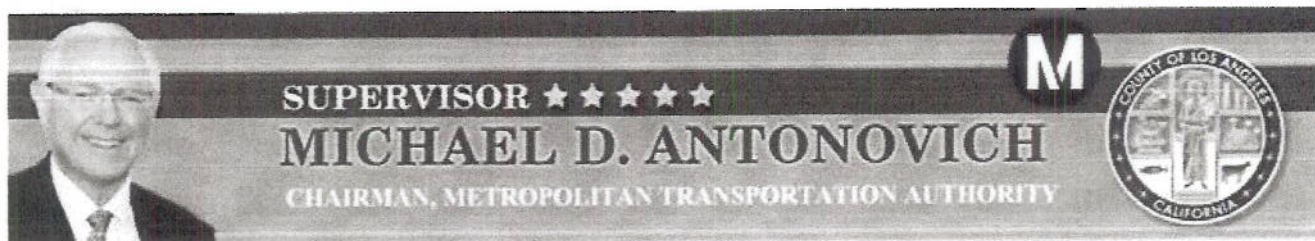
Beyond the Brown incident, federal authorities have been investigating deputies abusing inmates inside Baca's jails — which will probably be another topic federal prosecutors ask about Friday.

The blue-ribbon panel appointed by the county Board of Supervisors blamed Baca for problems of excessive force used on inmates, saying that he did not heed repeated warnings about brutality and other problems and did not pay attention to his jails.

The sheriff has since begun implementing a sweeping set of reforms to improve oversight, accountability and jailer conduct.

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Times staff writer Jack Leonard contributed to this report.

From: Bell, Tony
Sent: Tuesday, April 16, 2013 4:10 PM
To: Antonovich, Michael
Subject: RELEASE: ANTONOVICH ON THE COUNTY BUDGET



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April 16, 2013
For Immediate Release

ANTONOVICH ON THE COUNTY BUDGET

LOS ANGELES COUNTY – As the County released its draft 2013-2014 budget of nearly \$24.7 billion, Supervisor Michael D. Antonovich said:

"With the county's budget out of the red, we still face the fiscal iceberg of looming costs associated with the Governor's realignment policy releasing criminals to local government, Obamacare, pension liability and unfunded mandates.

Realignment has shifted over 14,700 parolees to probation supervision since October of 2011. Nearly 60 percent are very high risk or high risk with 39 percent medium risk and only 1.6 percent low risk. Over 11,643 offenders have now been sentenced to county jail instead of state prison, where more than half are currently serving their time. Some of those are now sentenced to county jail terms of 8, 10, 20 and 40 years.

Along with the recommendations by the Jail Violence Commission, the sheriff's structural budget deficit needs to be addressed to ensure timely response times, and that those

convicted serve full jail sentences -- not 10 to 15 percent of a sentence, as well as proactive and thorough investigations.

In addition to the impact of Obamacare and pension liability, we also have the unfunded mandates from the state including the storm water cleanup -- a state responsibility, not another property tax.

Despite the county's fiscal uncertainties, it is important we recognize the partnership between our labor partners and the county. Without that partnership, the county would find itself in the same situation as the city of San Bernardino, the city of Stockton, even the city of Los Angeles which are on the verge of bankruptcy or fiscal chaos.

It's important that the board continue to have prudent and responsible fiscal practices and continue with caution.

We are also pleased to announce the addition of 50 IMD beds (Institution for Mental Disease Beds) to address the mental health needs in the county. Since 2008, 274 patients have successfully transitioned into community-based housing and returned to a productive life.

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From: Antonovich, Michael <MAntonovich@jacbos.org>

Subject: FW: Antelope Valley Press Editor Dennis Anderson's "Division Street" Column: Valley law and order and 'realignment'

Date: Mon, Apr 15, 2013 2:23 pm



Opinion Section 4/14/13

Valley law and order and 'realignment'

Dennis Anderson's "Division Street" Column

'Yesterday was crazy. Today was no better.'

As reported by our Managing Editor Charles F. Bostwick, that was the assessment Thursday by Lancaster Sheriff's Station spokesman Deputy Mike Rust after 48 hours that included two foot chases of an attempted-murder suspect, a search at Lancaster City Park that netted two robbery suspects, a boy with a gun at an alternative high school, and a car chase that ended with the arrest of a 59-year-old man who allegedly pulled a knife on a supermarket employee while trying to steal a shopping cart full of beer and other merchandise.

So, realignment. Have you heard of it?

Realignment is a state bureaucrat word - it's a term invented to sound innocuous. But what it really adds up to

It's true that citizens can help.

As reported by Bostwick, taking his report from Rust, Lancaster City Park arrests came Thursday morning after people waiting for buses at the Antelope Valley Transit Authority bus stops in the park's parking lot pointed out to deputies which way the robbery suspects ran.

"Without their help, we couldn't have found them," Rust said. "One suspect was found underneath a car. The other one was found in the batting cage area."

Arrested were Donte Ray, 28, of Lancaster and Pierce Burns, 28, of Palmdale who deputies believe used Airsoft pistols - not real guns - to hold up an AT&T cellphone store in the 1000 block of West Avenue K just before 9 a.m. Thursday. The Airsoft pistols, which look real but shoot soft plastic pellets, were found discarded along the robbers' route between the store and the park, along with stolen merchandise, deputies said.

"They stole cellphones, accessories, iPads and cash," Rust said. "We recovered all of that."

Ray and Burns were booked on suspicion of armed robbery.

Here is another doozy from the same report:

Arrested Wednesday - twice - was Jaquain Smith, 19, who on Thursday was sitting in a jail cell with his bail set at \$1 million, records show.

Sheriff's deputies from Lancaster and Palmdale welcomed the arrival of 50 new Taser stun guns, which mean more deputies will be able to carry them on patrol.

The Tasers were financed by a \$50,000 grant from Antelope Valley Sheriff's Boosters Club and Waste Management.

"The great thing about these tools is that they should result in a lower occasion of significant force and lower occasion of injury to both the suspects and deputies," said Capt. Nelson.

"We are looking forward to getting them to deploy so that anyone at our station who wants to begin his shift with a Taser can do so," Nelson continued.

Ten of the Tasers will go to the Palmdale Sheriff's Station and 40 will go to Lancaster, officials said.

Some of the Tasers will be assigned to deputies who are going out on patrol, and others will go out to shift leaders, Nelson said.

"These tools are very vital for deputies to be able to reduce injuries, reduce the use of deadly force," Palmdale Sheriff's Station commander Ford said.

A Taser is meant to jolt primary muscles for three seconds to temporarily incapacitate the person on whom it is being used, officials say.